

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**April 8, 1998**

DIVISION TWO

B107735 People v. Anderson (Not for Publication)

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The Court:

The judgment is affirmed.

Fukuto, Acting P.J., Nott, J., Zebrowski, J.

B111105 People (Not for Publication)  
v.  
Calderon

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Zebrowski, J.

[illegible]

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Zebrowski, J.

April 8, 1998-Continued

## DIVISION TWO (Continued)

[illegible]

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Zebrowski, J.

B107988 People (Not for Publication)  
v.  
Cardenas

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Nott, J.

B108294 People (Not for Publication)  
v.  
Chung

The judgment is affirmed.

Fukuto, J.

We concur: Boren, P.J.  
Zebrowski, J.

April 8, 1998-Continued

## DIVISION THREE

B107866 People (Not for Publication)  
v.  
Miguel Guerrero Flores

The judgment is modified to reflect presentence custody credit for 242 days actually served and a total of 278 days. In all other respects, the judgment is affirmed.

Kitching, J.

We concur:   Croskey, Acting P.J.  
                  Aldrich, J.

B106270      People                                  (Not for Publication)  
v.  
Robert Johnson

The judgment is affirmed.

Kitching, J.

We concur:   Croskey, Acting P.J.  
                  Aldrich, J.

B111925      Rod G. O'Connor      (Not for Publication)  
v.  
Department of Personnel Administration, et al.

Judgment affirmed. Respondent is awarded costs on appeal.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                  Kitching, J.

DIVISION THREE (Continued)

B103347      Robert Ramirez      (Not for Publication)

v.

Paul Grynick

Judgment affirmed. Grynick is awarded costs on appeal.

Aldrich, J.

We concur:    Croskey, Acting P.J.  
                  Kitching, J.

B107483      Vincent Fenty      (Not for Publication)

v.

Charles R. Drew University of Medicine & Science

Judgment affirmed. The parties are to bear their own costs on appeal.

Aldrich, J.

We concur:    Croskey, Acting P.J.  
                  Kitching, J.

B113220      Benjamin S. and Joseph L.S. et al.      (Not for Publication)

v.

Regents of the University of California, et al.

The grant of summary judgment in favor of defendants is affirmed. Costs on appeal are awarded to respondents.

Kitching, J.

We concur:    Croskey, Acting P.J.  
                  Aldrich, J.

April 8, 1998-Continued

DIVISION THREE (Continued)

B114132      Los Angeles County, D.C.S.                      (Not for Publication)  
                 v.  
                 April R.

The judgment (order of guardianship) is affirmed.

Kitching, J.

We concur:    Croskey, Acting P.J.  
                 Aldrich, J.

B106114      People  
                 v.  
                 Bryan Edwin Ransom

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment.)

DIVISION FIVE

B112938      People    (Not for Publication)  
                 v.  
                 Kenneth Carr

The judgment is affirmed.

Turner, P.J.

We concur:    Armstrong, J.  
                 Godoy Perez, J.

April 8, 1998-Continued

## DIVISION FIVE (Continued)

B112687 People (Not for Publication)  
v.  
Deandre McIntosh

The judgment is affirmed.

Turner, P.J.

We concur:   Armstrong, J.  
                          Godoy Perez, J.

## DIVISION SIX

Court convened at 9:00 A.M.

Present: Stone, P.J., Gilbert, J., Yegan, J., Coffee, J., and G. Bents, Deputy Clerk.

B115099 Lawson v. Newman

Argument waived, cause submitted.

B119552 Kevin K.  
v.  
Ventura County Superior Court  
(Public Social Services Agency, r.p.i.)

Merits:

Presented with the court's permission by Kathleen La May, certified law student under the supervision of Gary Wayne, Deputy Public Defender for petitioner and by William A. Water, Assistant County Counsel, for real party in interest. Cause submitted.

DIVISION SIX (Continued)

B111900     Kapelus  
              v.  
              Dickerson

Merits:

Argued by Roslily Howard Mitchell for appellant and by Joe A. Dickerson, in propria persona. Cause submitted.

B110632     Zendejas  
              v.  
              Kirk Produce, Inc.

Merits:

Argued by William G. Hoerger for appellant and by Morton Minikes for respondent. Respondent requested the court take judicial notice of its non-published opinion in 2d Civil No. B103704, Herrera v. Kirk Produce, Inc., filed on March 25, 1998. Appellant opposed the request for judicial notice. Cause submitted.

B111169     Duarte  
              v.  
              Strathmore

Merits:

Argued by Wendy C. Lascher for appellant and by Richard Tentler for respondent. Cause submitted.

Court recessed at 10:00 A.M.

Court reconvened at 10:15 A.M.

Present: Stone, P.J., Gilbert, J., Yegan, J., Coffee, J., and G. Bents, Deputy Clerk.

April 8, 1998-Continued

DIVISION SIX (Continued)

B111714     Nava  
              v.  
              MVS Hotel Properties

Merits:

Argued by Bruce A. Broillet for appellant and by Andrew K. Whitman for respondent. Cause submitted.

Gilbert, J. leaves the bench at 10:47 A.M.

B109643     Dekinderen  
              v.  
              Seagall

Merits:

Argued by Jeffrey Compasso for appellant and cross-respondent, and by Esther R. Sorkin for respondent and cross-appellant. Cause submitted.

Court recessed at 11:00 A.M.

The Court reconvened at 1:30 P.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., and G. Bents, Deputy Clerk.

B115850     Chemi  
              v.  
              Stuen

Merits:

Argued by Thomas Prinndiville Higgins for appellant. No appearance on behalf of respondent pursuant to Rule 17(b), Cal. Rules of Court. Cause submitted.



DIVISION SIX (Continued)

B117247     Hammond  
              v.  
              Wells Fargo Bank

Merits:  
Argued by Frederic Hammond, in propria persona and by Ronald R. St. John for respondent. Cause submitted.

B112984     John Hancock Life Insurance Co.  
              v.  
              Currie

Merits:  
Argued by Frank Sanes, Jr. for appellant and by Kendra S. Meinert Hodson for respondent. Cause submitted.

B106949     Wise  
              v.  
              Perez

Merits:  
No appearance on behalf of appellant. Thomas Daniel Hogue appeared for respondent and waived oral argument. Cause submitted.

B105546     Kaplan  
              v.  
              Cattano

Merits:  
Argued by William F. Gutierrez for appellant and by Gregory J. Ramirez for respondent. Cause submitted.

Court recessed at 2:30 P.M.

April 8, 1998-Continued

DIVISION SIX (Continued)

Court reconvened at 2:37 P.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., and G. Bents, Deputy Clerk.

B109800     Gordon  
                 v.  
                 Hartford Fire Insurance

Merits:

Argued by Todd Roberts for appellant and by Mark R. Stapke for respondent. Cause submitted.

B112445     Ehlers  
                 v.  
                 Faulkner

Merits:

Argued by Stanley W. Abbot for appellant, by Robert O. Angle for respondent and cross-appellant Faulkner, by David W. Magnusson for respondent and cross-respondent Pacific Materials, and by Gwen Jones for respondent Lutz. Cause submitted.

Court recessed at 3:30 P.M.

Court reconvened at 3:40 P.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., and G. Bents, Deputy Clerk.

B115108     People  
                 v.  
                 Helzer

Merits:

Argued by Marsha D. Kennedy for appellant and by Thomas C. Hsieh, Deputy Attorney General, for respondent. Cause submitted.

Court adjourned at 4:10 P.M.

DIVISION SIX (Continued)

B112446     People  
              v.  
              Garon C.

Filed order granting respondent's motion to dismiss the people's appeal.  
Appeal (notice of appeal filed May 28, 1997) dismissed.

B110278     Keith W. G.                     (Certified for Publication)  
              v.  
              Suzanne E. H.

Filed opinion on denial of rehearing.

DIVISION SEVEN

B112395     People  
              v.  
              Geraldo

Filed order denying petition for rehearing.

B101355     Forman  
              v.  
              Chicago Title

Filed order denying petition for rehearing.

B095859     RTC Mortgage Trust 1994-S2  
              v.  
              6710-40 Hayvenhurst

Filed order denying petition for rehearing.

DIVISION SEVEN (Continued)

B113080    People  
              v.  
              Garcia

Filed order denying petition for rehearing.

B113429    People                                (Not for Publication)  
              v.  
              Trujillo

The judgment is affirmed.

Lillie, P.J.

We concur:   Woods, J.  
                  Neal, J.

B107428    People                                (Not for Publication)  
              v.  
              Haywood

The judgment is affirmed.

Johnson, Acting P.J.

We concur:   Woods, J.  
                  Neal, J.

B107138    People                                (Not for Publication)  
              v.  
              Ariaza and Ramos

The judgment is affirmed.

Johnson, J.

We concur:   Lillie, P.J.  
                  Woods, J.

April 8, 1998-Continued

## DIVISION SEVEN (Continued)

B104276 People (Not for Publication)

V.  
Grandberry

The abstract of judgment is ordered corrected by deleting "667.5(B)" under "3. ENHANCEMENTS" and substituting "667(a)." As corrected, the judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.  
Neal, J.

B102460 People (Not for Publication)

V.  
Bullard et al.

The judgments are affirmed.

Woods, J.

We concur: Lillie, P.J.  
Neal, J.

B107128 People (Not for Publication)

v.  
Safarian

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.  
Neal, J.

April 8, 1998-Continued

## DIVISION SEVEN (Continued)

B110464 People (Not for Publication)  
v.  
Givens

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.  
Johnson, J.

B102996      Tillery      (Not for Publication)  
v.  
Keenan & Associates, Inc.

The judgment is affirmed. The parties are to bear their own costs on appeal.

Lillie, P.J.

I concur in the judgment only: Woods, J.  
I dissent: Neal, J. (Opinion)

B102993      Rodriguez                                  (Not for Publication)  
v.  
Western Atlas International, Inc.

The award of attorney fees and costs to Western and against Rodriguez is reversed and remanded with instructions to the trial court to deny Western's request for fees and costs. Each party to bear its own costs on appeal.

Lillie, P.J.

We concur: Woods, J.  
Neal, J.

April 8, 1998-Continued

## DIVISION SEVEN (Continued)

B117860 Vickie D. (Not for Publication)

V.

Superior Court, Los Angeles County  
(Los Angeles County D.C.F.S., r.p.i.)

Because substantial evidence supports the juvenile court's determination to hold the hearing described in section 366.26, the petition is denied on the merits. (*In re Shaundra L.* (1995) 33 Cal.App.4th 303, 316.)

Johnson, J.

We concur: Lillie, P.J.  
Woods, J.